

Case 7998

#7  
n.n.  
2/25/03**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of :  
**Mitchell Anthony DeLong, et al** :  
Serial No. 09/774,557 : Group Art Unit 1616  
Filed 31 January 2001 : Examiner Badio, Barbara P.  
For COMPOSITIONS AND :  
METHODS FOR TREATING  
HAIR LOSS USING NON-  
NATURALLY OCCURRING  
PROSTAGLANDINS

**RESPONSE TO NOTICE OF INCOMPLIANT RESPONSE**

Commissioner for Patents  
Washington, D.C. 20231

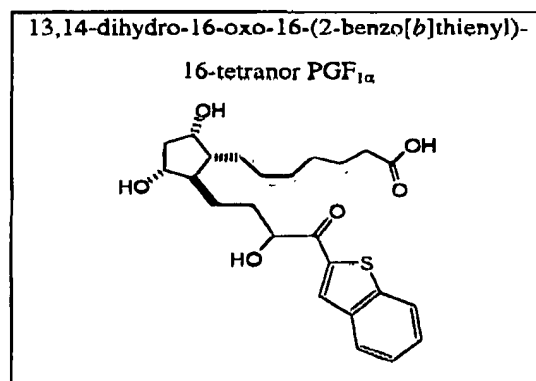
Dear Madam:

In response to the Office Action dated 24 December 2002, please enter the following election of species.

02/25/2003 MMAY22 00000001 162480 09774557  
01 FC:1251 110.00 CH

ELECTION OF SPECIES

The Examiner previously asserted a Restriction Requirement in the present application. The Applicants, in a communication dated 14 October 2002, elected to prosecute the subject matter of Group 1, claims 1 to 15. The Examiner, in an Office Action dated 24 December 2002, asserted that Applicants' election was incomplete, purportedly because the Applicants did not elect a single species falling under the elected group. The Applicants wish to note that the Examiner has not enumerated the species from which the Applicants have been asked to elect. Nevertheless, the Applicants have responded to the imposition of this requirement by electing one of the compounds disclosed in the present application as being suitable for incorporation into "Component A" of claim 1. Accordingly, the Applicants elect the species encompassed by the below-depicted compound, without traverse.



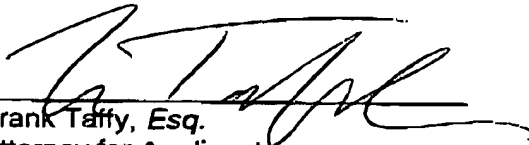
Support for the Applicants' election of the above-depicted species is found throughout the application and claims, as originally filed, and specifically on page 18 of the specification.

CONCLUSION

Applicants have made an earnest effort to place the present claims in condition for examination and/or allowance. WHEREFORE, entry of the election of species provided herewith, examination on the merits of the elected invention, and allowance of Claims 1-15 are respectfully requested. In the event that issues remain prior to allowance of the noted claims, then the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,

**Mitchell Anthony deLong, et al**

By   
Frank Taffy, Esq.  
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Customer No. 27752

24 January 2003

Cincinnati, Ohio

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**The Procter and Gamble Company - Intellectual Property Division**

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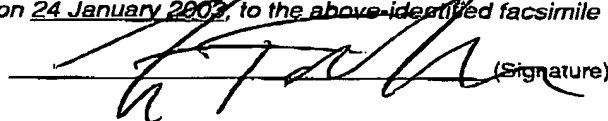
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**FACSIMILE TRANSMITTAL SHEET AND  
CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8****TO: Examiner B. Badio - United States Patent and Trademark Office**Fax No. (703) 308-4556Phone No. (703) 308-4595

*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on 24 January 2003, to the above-identified facsimile number.*

  
(Signature)**FROM: Frank Taffy, Esq. - The Procter & Gamble Company**Fax No. (513) 634-6108Phone No. (513) 634-9315

Listed below are the item(s) being submitted with this Certificate of Transmission:

- 1) Response to Non-Compliant Election
- 2)
- 3)
- 4)
- 5)

Number of Pages Including this Page:

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Inventor(s): deLong, Mitchell A., et al.

S.N.: 09/774,557

Filed: 31 January 2001

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